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DEC 02 2004

In re Application of : **OFFICE OF PETITIONS**
Brown :
Filed: March 8, 2004 : ON PETITION
Application No. 10/796,423 :
Atty. Dkt. No.: 022195-1.00US :

This decision is in response to the "PETITION TO ACCEPT FORMAL DRAWINGS AND REINSTATE FILING DATE" filed October 4, 2004 and supplemented November 8, 2004, in response to the Notice of Incomplete Nonprovisional Application ("Notice") mailed September 23, 2004 to accord the above-identified application a filing date of March 8, 2004.

The application was filed March 8, 2004. The Notice indicated that the application had not been accorded a filing date because the application appeared to have been deposited without drawings as required under 35 USC 113, first sentence.

In response, the present petition was filed wherein petitioner argues that the application as deposited included 2 sheets of formal drawings. Petitioners have included as proof of mailing and proof of receipt of the 2 sheets of formal drawings a return postcard date stamped by the Office on March 8, 2004. A copy of 2 sheets of formal drawings depicting Figure 1 and Figure 2 purportedly filed with the application on March 8, 2004 was also supplied.

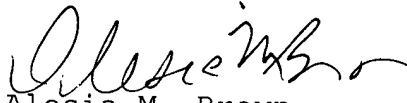
The original drawings sheets submitted with the application papers have not been located. However, in view of the evidence presented, the petition to accord the application a filing date of March 8, 2004 is GRANTED.

Since the original drawing sheet cannot be located in the Office, the copy supplied with the instant petition on November 8, 2004 will be used for examination purposes.

No petition fee is due in connection with this matter.

This application will be returned to the Office of Initial Patent Examination for further processing with a filing date of March 8, 2004.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3205.

A handwritten signature in black ink, appearing to read 'Alesia M. Brown'.

Alesia M. Brown
Senior Petitions Attorney
Office of Petitions